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11 Attorneys for Defendant  
12 E.I. DU PONT DE NEMOURS AND COMPANY

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17 Attorneys for Plaintiffs

18 **UNITED STATES DISTRICT COURT**  
19 **NORTHERN DISTRICT OF CALIFORNIA**  
20 **SAN FRANCISCO DIVISION**  
21

22 MARGITA GERGELOVA and VIKTOR  
23 GERGEL, individually, as successors-in-interest to  
ARNOLD GERGEL, deceased, and as co-Personal  
24 Representatives of the Estate of ARNOLD  
GERGEL; ALIA FAROUKH, individually, as  
25 legal guardian for KARIM WARDE KHALIFEH  
and MOHAMAD ALI KHALIFEH, as successor-  
26 in-interest to HUSSEIN MOUNIR KHALIFEH,  
deceased and as Personal Representative of the  
27 Estate of HUSSEIN MOUNIR KHALIFEH;  
CAMILLE LACOME, individually, as legal  
28 guardian for ZOURI SALEMKOUR LACOME, as

CASE NO. 09-CV-05020-SI

[Assigned to Hon. Susan Y. Illston]

STIPULATION AND [PROPOSED]  
ORDER REGARDING STAY OF  
DEADLINES AND PROCEEDINGS

1 successor-in-interest to SAMIR SALEMKOUR,  
 2 deceased and as Personal Representative of the  
 3 Estate of SALEMKOUR LACOME; MATTHIEU  
 4 ARRONDO, individually, as successor-in-interest  
 5 to CATHERINE ARRONDO TAKVORIA,  
 6 deceased, and as Personal Representative of the  
 7 Estate of CATHERINE ARRONDO TAKVORIA;  
 8 CHANTAL KOEHLER, individually, as  
 9 successor-in-interest to AUDREY QUESADA,  
 10 deceased, SANA ZERELLI, deceased, and  
 11 JASSIM ZERELLI, deceased, and as Personal  
 12 Representative of the Estates of AUDREY  
 13 QUESADA, SANA ZERELLI, AND JASSIM  
 14 ZERELLI; and GUY WARRIOR, individually, as  
 15 successor-in-interest to NEIL WARRIOR,  
 16 deceased, and as Personal Representative of the  
 17 Estate of NEIL WARRIOR,

18 Plaintiffs,

19 vs.

20 AIRBUS S.A.S.; HONEYWELL  
 21 INTERNATIONAL; THALES GROUP; THALES  
 22 U.S.A., INC.; MOTOROLA, INC.; INTEL CO.;  
 23 ROCKWELL COLLINS CO.; HAMILTON  
 24 SUNDSTRAND CORP.; GENERAL ELECTRIC  
 25 CO.; GE AVIATION SYSTEMS, LLC;  
 26 ROSEMOUNT AEROSPACE INC.; DUPONT  
 27 CO.; and RAYCHEM CO.,

28 Defendants.

1 Pursuant to Civil Local Rules 6-2 and 7-12, Defendants Intel Corporation, Airbus S.A.S.,  
 2 Honeywell International Inc., Thales Avionics, S.A., Thales USA, Inc., Motorola, Inc., Rockwell  
 3 Collins, Inc., Hamilton Sundstrand Corporation, General Electric Co., GE Aviation Systems LLC,  
 4 Rosemount Aerospace Inc, E. I. du Pont de Nemours and Company and Raychem Corporation  
 5 (collectively, “Defendants”) and all Plaintiffs, by and through their respective counsel of record,  
 6  
 7 HEREBY STIPULATE AS FOLLOWS:

1 WHEREAS Defendants have filed with the Judicial Panel on Multidistrict  
 2 Litigation (the “Panel”) a Joint Motion for Coordinated or Consolidated Pre-Trial Proceedings  
 3 Pursuant to 28 U.S.C. § 1407 (the “Motion”), seeking to consolidate this case with two other  
 4 actions also arising from the crash of Air France Flight 447 (the “Accident”).

1           2.       WHEREAS the Panel has scheduled a hearing on Defendants' Motion for March  
2 25, 2010. A true and correct copy of the Panel's hearing order is attached hereto as Exhibit A.

3           3.       WHEREAS based upon this Court's orders, the Civil Local Rules, and the Federal  
4 Rules of Civil Procedure, certain pretrial deadlines have been set in this case that are inconsistent  
5 with the principal purpose of multidistrict consolidation, namely to ensure consolidated and  
6 coordinated pretrial proceedings for all actions.

7  
8           4.       WHEREAS a stay pending the Panel's resolution of Defendants' Motion is  
9 supported by case law. *See, e.g., Rivers v. Walt Disney Co.*, 980 F. Supp. 1358, 1360-61 (C.D.  
10 Cal. 1997) (holding that stay was warranted, pending resolution by the Panel of a motion to  
11 transfer and consolidate, because such a stay would conserve judicial resources and would not  
12 prejudice the parties); *Palmer v. Am. Honda Motor Co.*, No. CV 07-1904-PHX-DGC, 2008 WL  
13 54914, at \*1 (D. Ariz. Jan. 3, 2008) (same).

14           5.       WHEREAS the parties seek to conserve judicial resources and minimize  
15 procedural complexity and will not suffer prejudice from a temporary stay of proceedings and  
16 good cause therefore exists to stay deadlines for disclosures pursuant to Rule 26 of the Federal  
17 Rules of Civil Procedure in this case until the Panel resolves Defendants' Motion.

18  
19           NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AS FOLLOWS:

20           All deadlines for disclosures pursuant to Rule 26 of the Federal Rules of Civil Procedure  
21 shall be stayed pending the Panel's resolution of Defendants' Motion. The entry of this stay shall  
22 not be cited to the Panel by any party. Defendants shall file and serve notice of the Panel's order  
23 within seven (7) days of entry of such order and request the Court to enter an amended scheduling  
24 order in this matter at that time.

1 **IT IS SO STIPULATED.**

2  
3 Dated: March 9, 2010

BOWLES & VERNA LLP

4 By: /s/ Michael P. Verna

5 Michael P. Verna

6 Attorneys for Plaintiffs

7  
8 Dated: March 9, 2010

PERKINS COIE LLP

9 By: /s/ Philip A. Leider

10 Philip A. Leider

11 Attorneys for Defendant  
12 INTEL CORPORATION

13 Dated: March 9, 2010

HOGAN & HARTSON LLP

14 By: /s/ Norman J. Blears

15  
16 Attorneys for Defendant  
17 AIRBUS S.A.S

18 Dated: March 9, 2010

MORRISON & FOERSTER LLP

19 By: /s/ Don G. Rushing

20  
21 Attorneys for Defendant  
22 HONEYWELL INTERNATIONAL INC.

1  
2 Dated: March 9, 2010

KAPLAN, MASSAMILLO & ANDREWS LLC

3 By: /s/ Richard A. Walker

4  
5 Attorneys for Defendant  
6 THALES GROUP AND THALES USA, INC.

7 Dated: March 9, 2010

SCHNADER HARRISON SEGAL & LEWIS  
8 LLP

9 By: /s/ Leo J. Murphy

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11 Attorneys for Defendant  
12 MOTOROLA, INC.

13 Dated: March 9, 2010

REED SMITH LLP

14 By: /s/ Patrick E. Bradley

15  
16 Attorneys for Defendant  
17 ROCKWELL COLLINS, INC.

18 Dated: March 9, 2010

JACKSON WALKER LLP

19 By: /s/ Robert F. Ruckman

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21 Attorneys for Defendant  
22 ROCKWELL COLLINS, INC.

23  
24 Dated: March 9, 2010

MENDES & MOUNT LLP

25 By: /s/ Alan H. Collier

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27 Attorneys for Defendant  
28 HAMILTON SUNDSTRAND CORPORATION

1  
2 Dated: March 9, 2010

PAUL, HASTINGS, JANOFSKY & WALKER  
LLP

3  
4 By: /s/ Christopher M. Mooney

5  
6 Attorneys for Defendant  
GENERAL ELECTRIC COMPANY AND  
7 GE AVIATION SYSTEMS LLC

8 Dated: March 9, 2010

BLANK ROME LLP

9  
10 By: /s/ David Zeelandelaar

11  
12 Attorneys for Defendant  
ROSEMOUNT AEROSPACE INC.

13  
14 Dated: March 9, 2010

CROWELL & MORING LLP

15  
16 By: /s/ Lisa J. Savitt

17  
18 Attorneys for Defendant  
E. I. DU PONT DE NEMOURS AND  
COMPANY

19  
20 Dated: March 9, 2010

MENDES & MOUNT LLP

21  
22 By: /s/ Jason L. Vincent

23  
24 Attorneys for Defendant  
RAYCHEM CORPORATION

25 Pursuant to General Order 45 Section X.B., each of the above signatories concurs in the  
26 filing of this document.  
27  
28

**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED:

All disclosures pursuant to Rule 26 of the Federal Rules of Civil Procedure in this matter shall be stayed pending the Judicial Panel on Multidistrict Litigation's resolution of Defendants' Joint Motion for Coordinated or Consolidated Pre-Trial Proceedings Pursuant to 28 U.S.C. § 1407. Defendants shall file and serve notice of the Panel's order within seven (7) days of entry of such order and request the Court to enter an amended scheduling order in this matter at that time.

DATED: \_\_\_\_\_, 2010



Hon. Susan Y. Illston  
U.S. District Judge

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